IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND SIX

PRESENT

**THE HON'BLE SRI JUSTICE BILAL NAZKI**

**and**
**THE HON'BLE SRI JUSTICE G.CHANDRAIAH**

**WRIT PETITION No.3934 of 2006**

**Between:**

M/s.Victory Publishers,

D/o.11-16-32(A), Singarajuvarim Street,

Kothapeta, Vijayawada-2.

Rep. by its Partner Mr.A.Bala Satya Sairam.

**..... PETITIONER**

**AND**

1.The Additional Commercial (CT) (Legal),

O/o.Commissioner of Commercial Taxes,

Andhra Pradesh, Hyderabad, and another.

**.....RESPONDENTS**

**ORDER:** ***(Per Hon'ble Sri Justice Bilal Nazki,)***

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

The controversy is that pending appeals, applications for stay were dismissed by the competent authority. We have gone through the record. We feel that the interest of justice would have been met, if stay was granted pending appeals, subject to deposit of half of the disputed tax liability. Therefore, we set aside the order of the authority and direct that half of the disputed tax liability shall be paid by the petitioner within a period of four weeks. For four weeks, there shall be an unconditional stay and the stay shall continue till disposal of the appeals, provided the amount is deposited within four weeks. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeals. However, it is made clear that, if the petitioner had already deposited any amount, the same shall be given credit to, while caliculating 50% of the disputed tax liability.

Writ Petition is disposed of accordingly. No costs.

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**(Bilal Nazki, J)**

**1st March, 2006**

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**(G.Chandraiah, J)**

**LUR**